

Indiana Rules of Appellate Procedure

Appellate Rule 28. Preparation Of Transcript In Paper Format By Court Reporter

A. Paper Transcript. The court reporter shall prepare the Transcript as follows:

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(9) Court Records excluded by *Administrative Rule 9(G)*.

(a) In cases where all of the Court Records are excluded from Public Access pursuant to Administrative Rule 9(G)(1), the Transcript shall be excluded from Public Access.

(b) If, during the hearing or trial a party or person identified any oral statement(s) to be excluded from Public Access, the Court Reporter must comply with the requirements of Administrative Rule 9(G)(5)(b) with regard to the statement(s) and must note in the Transcript the specific 9(G)(2) or 9(G)(3) ground(s) identified by the party or person.

(c) Additionally, until the time the Transcript is transmitted to the Court on Appeal, any party or person may file written notice with the Trial Court Clerk identifying:

(i) the transcript page and line number(s) containing any Court Record to be excluded from Public Access; and

(ii) the specific Administrative Rule 9(G)(2) or 9(G)(3) ground(s) upon which that exclusion is based. (See Form #App.R. 11-3.)

This written notice must be served on the Court Reporter and, upon receipt of the written notice, the Court Reporter must re-file the Transcript in compliance with the requirements of Administrative Rule 9(G)(5)(b) and must note in the Transcript the specific 9(G)(2) or 9(G)(3) ground(s) identified by a party or person.

(d) After the Transcript has been transmitted to the Court on Appeal, any request by a party or person to exclude a Court Record in the Transcript from Public Access must be made to the Court on Appeal and must contain the specific Administrative Rule 9(G)(2) or 9(G)(3) ground(s) upon which that exclusion is based. Upon receipt of an order from the Court on Appeal, the Court Reporter must re-file the Transcript in compliance with the requirements of Administrative Rule 9(G)(5)(b).

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